

CITY OF LODIRESOLUTION NO. 2351

PROVIDING FOR THE ISSUANCE OF \$7,200,000 PRINCIPAL AMOUNT OF "CITY OF LODI 1965 MUNICIPAL IMPROVEMENT BONDS" AND FOR THE ISSUANCE OF SAID BONDS IN SERIES; PRESCRIBING THE AMOUNT, DATE AND FORM OF SERIES A BONDS OF SAID ISSUE AND OF THE COUPONS TO BE ATTACHED THERETO AND PRESCRIBING THE MATURITIES THEREOF; FIXING THE MAXIMUM RATE OF INTEREST ON THE BONDS OF SAD ISSUE; AUTHORIZING THE EXECUTION OF THE BONDS AND COUPONS OF SAID ISSUE; PROVIDING FOR THE LEVY OF A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS OF SAD ISSUE; AND DIRECTING NOTICE OF SALE OF SAID SERIES A BONDS TO BE GIVEN.

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WHEREAS, all the requirements of law have been complied with in calling and holding the special municipal bond election held in the City of Lodi (herein called the "City") on June 8, 1965, at which election measures to issue bonds of the City in the principal amount of \$7,200,000 for the objects and purposes hereinafter stated were submitted to the voters of the City; and the City Council of the City did duly and regularly canvass the returns of said special municipal bond election and did by said canvass determine and declare, and does hereby certify, that each of said measures received at said special municipal bond election the affirmative vote of more than two-thirds of all of the voters voting on each of said measures at said election. and each of said measures was thereby carried and adopted by said election, and the issuance of said bonds by the City for the purposes set forth in each of said measures was duly authorized;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi, as follows:

Section 1.

(a) Unless the context otherwise requires, the terms defined in this Section 1(a) shall **for** all purposes of this resolution have the meanings herein specified:

Bonds

The term "Bonds" shall mean the "City of Lodi 1965 Municipal Improvement Bonds."

City

The term "City" shall mean the City of Lodi.

Clerk

The term "Clerk" shall mean the City Clerk of the City.

Council

The term "Council" shall mean the City Council of the city.

The term "**Mayor**" shall mean the Mayor **of** the City.

Treasurer

The term "Treasurer" shall mean the Treasurer of the City.

(b) The Council has reviewed all proceedings heretofore taken and has found **as** a result of such review and does hereby determine that all acts, conditions and things required by law to happen, exist and be performed precedent to and in the issuance of the Bonds have happened, existed and been performed **in** due time, **form** and manner as required by law, and the City **is** now authorized pursuant to each and every **requirement of** law to incur indebtedness in the manner and form **as** in this resolution provided.

Section 2. Bonds **of** the City shall issue to pay the cost of the acquisition, **construction** and completion **of** the municipal improvements of the City set forth in the following measures. to wit:

MEASURE (A): Shall the City of Lodi incur
(Sewer System a bonded indebtedness in the
Improvements) principal amount of \$4,215,000
for the acquisition, construc-
tion and completion of the following municipal
improvement, to wit: Sewer system improvements,
including acquisition of land for treatment
plant site, treatment plant facilities for sew-
age and industrial waste, outfall line, collec-
tion mains, pipes and connections; easements
and rights of way; and other works, property or
structures necessary or convenient for sewer
system improvements for the City of Lodi?

MEASURE (B) Shall the City of Lodi incur
Public Safety a bonded indebtedness in the
(Building) principal amount of \$1,145,000
for the acquisition, construc-
tion and completion of the following municipal
improvement, to wit: A new public safety
building, including facilities for central fire
station, Justice Court, police headquarters and
jail, and civil disaster emergency operation
center, together with landscaping and other
site developments and off-street public parking
facilities; lands, easements and rights of way;
and other works, property or structures neces-
sary or convenient for a new public safety
building for the City of Lodi?

MEASURE (C): Shall the City of Lodi incur
(Storm Drainage a bonded indebtedness in the
Improvements) principal amount of \$1,840,000
for the acquisition, construc-
tion and completion of the following municipal
improvement,* to wit: Storm drainage improve-
ments, including acquisition of lands for drain-
age basins, construction of drainage basins
(which will be used incidentally for park and
playground purposes), inflow and outflow struc-
tures, dry wells, filter caps, piping and pumps,
together with landscaping and fencing; easements
and rights of way; and other works, property or
structures necessary or convenient for storm
drainage improvements for the City of Lodi?

Section 3. The Bonds shall be issued in whole or in
part as hereinafter set forth, and shall be sold in accordance
with law at not less than their par value 2nd accrued interest
The Bonds shall be \$7,200,000 in aggregate principal amount and
shall be known as "City of Lodi 1965 Municipal Improvement Bonds."

The Bonds shall be divided into series. \$5,500,000 principal amount of the Bonds shall constitute "Series A" and the remaining \$1,700,000 principal amount of the Bonds may be divided into one or more series as the Council shall determine at the time of the issuance and sale of all or any part of the remaining Bonds. All the Bonds of each series shall bear Interest from their date until paid at the rate, or rates, designated by the Council at the time of the sale thereof, but not to exceed six (6) per cent per annum. Said interest on each series of the Bonds shall be payable semiannually or annually the first year and thereafter semiannually as determined by the Council at the time of issuance and sale of such series of the Bonds. Such interest on the coupon Bonds shall be evidenced by coupons attached to each coupon Bond, and each of said coupons shall represent six months' interest (except the first coupon on Bonds as to which interest is payable annually the first year, which shall represent twelve months' interest) on the Bond to which it is attached.

The Series A Bonds may be issued as coupon Bonds in the denomination of \$5,000, registrable only as to principal, or as fully registered Bonds without coupons in the denomination of \$5,000 or any multiple thereof.

The coupon Series A Bonds shall be dated October 1, 1965, shall be numbered A1 to A1100, inclusive, shall mature in consecutive numerical order from lower to higher and shall bear interest from October 1, 1965. The interest coupons attached to the coupon Series A Bonds shall be numbered in consecutive numerical order in the order of their respective maturities, and each such coupon shall represent six months' interest on

the Series A Bond to which it is attached, except that the first coupon shall represent interest from October 1, 1965 to October 1, 1966. Payment of interest on the coupon Series A Bonds shall be made only upon presentation and surrender of the coupons representing such interest as the Same respective fall due.

The fully registered Series A Bonds shall be dated as of the date of authentication by the registration agent except that fully registered Series A Bonds issued upon exchanges and transfers of fully registered Series A Bonds and upon exchanges of coupon Series A Bonds for fully registered Series A Bonds shall be dated so that no gain or loss of interest will result from such exchange or transfer. Each Fully registered Series A Bond shall bear interest from the interest payment date next preceding the date thereof unless it is dated as of an interest payment date, in which event it shall bear interest from the date thereof, or unless it is dated prior to October 1, 1965, in which event it shall bear interest from October 1, 1965. Interest on fully registered Series A Bonds shall be paid by check or draft mailed to the registered owner at his address as it appears on the books of registration kept by the registration agent pursuant to section 6 of this resolution.

The Series A Bonds shall mature and be payable in consecutive numerical order, From lower to higher. on October 1 in each of the years, as Follows:

<u>Principal Amount</u>	<u>Maturity Date</u>
\$105,000	1966
110,000	1967
115,000	1968
120,000	1969
125,000	1970
125,000	1971
130,000	1972
135,000	1973
140,000	1974
145,000	1975
150,000	1976
155,000	1977
160,000	1978
165,000	1979
175,000	1980
180,000	1981
185,000	1982
190,000	1983
200,000	1984
205,000	1985
210,000	1986
220,000	1987
225,000	1988
235,000	1989
245,000	1990
250,000	1991
260,000	1992
270,000	1993
280,000	1994
290,000	1995

Both the principal of and interest on the Series A Bonds shall be payable in lawful money of the United States of America at the San Francisco Main Office of Bank of America National Trust and Savings Association, the Paying Agent of the City in San Francisco, California. **or**, at holder's option, at the principal office of First National City Bank, the Paying Agent of the City in New **York**. New York, or at the principal office of the First National Bank of Chicago, the Paying Agent of the City in Chicago, **Illinois**. The City hereby covenants and agrees, for the direct benefit of the holders of all the

Bonds, that so long as any Bonds shall be outstanding it will maintain Paying Agents in San Francisco, California, New York, New York, and in Chicago, Illinois.

Series A Bonds maturing by their terms on or prior to October 1, 1987, shall not be subject to call or redemption prior to their fixed maturity dates. Series A Bonds maturing by their terms on and after October 1, 1988, shall be subject to call and redemption at the option of the City, as a whole, or in part in inverse numerical order from higher to lower, on October 1, 1981 (but not prior thereto) and on any interest payment date thereafter prior to their fixed maturity date or dates at the principal amount thereof and accrued interest thereon to date of redemption, together with a premium of 1/4 of 1% of such principal amount for each whole year and for any remaining fraction of a year from the date fixed for redemption to the fixed maturity date of the Series A Bonds so called for redemption. Notice of such redemption shall be given by publication of such notice once a week for two (2) successive calendar weeks in a newspaper of general circulation or a financial journal printed and published in San Francisco, California, the first publication of which shall be at least thirty (30) days but not more than sixty (60) days prior to the date fixed for such redemption. After the date fixed for such redemption, if the City shall have duly published notice of such redemption and Shall have provided funds for the payment of principal of and

interest on the Series A Bonds so called for redemption, together with the premium then due thereon, interest on such Series A Bonds shall thereafter cease.

Section 4. (a) The coupon Series A Bonds and the coupons attached thereto shall each be substantially in the following form, the blanks in said forms to be filled with appropriate words or figures, namely:

[Form of coupon Series A Bond]

UNITED STATES OF AMERICA
STATE OF CALIFORNIA
San Joaquin County

CITY OF LODI 1965 MUNICIPAL IMPROVEMENT BOND

SERIES A

No. A _____

\$5,000

The CITY OF LODI, a municipal corporation organized and existing under the Constitution and laws of the State of California, hereby acknowledges itself indebted and for value received promises to pay to the bearer (or if this Bond be registered as to principal, to the registered holder hereof), on the first day of October, 19__, (subject to any right of prior redemption hereinafter reserved) the principal sum of

FIVE THOUSAND DOLLARS (\$5,000)

together with interest thereon at the rate of _____ (____) per cent per annum until payment of said principal sum in full, payable on October 1, 1966, and semiannually thereafter on the first day of April and the first day of October of each year. Such interest, prior to maturity, shall be payable only on presentation and surrender of the proper interest coupons hereto attached as they respectively become due. Both the principal of and interest on this Bond are payable in lawful money of the United States of America at the San Francisco Main Office of Bank of America National Trust and Savings Association, San Francisco, California, or, at holder's option, at the principal office of First National City Bank in New York, New York, or at the principal office of The First National Bank of Chicago in Illinois.

This Bond is one of a duly authorized issue of Bonds of said City aggregating Seven Million Two Hundred Thousand Dollars (\$7,200,000) in principal amount, all of like tenor (except for such variations, if any, as may be required to designate varying series, dates, numbers, maturities, interest rates, denominations or redemption provisions) and is one of the Bonds of Series A of said authorized issue

and is issued under and pursuant to the Constitution and statutes of the State of California, and under and pursuant to the ordinances and proceedings of said City duly adopted and taken and a vote and assent of more than two-thirds of all the qualified electors of said City voting at a special election duly called and held for that purpose.

The Bonds of Series A are issuable as coupon Bonds in the denomination of \$5,000, registrable only as to principal, and as registered Bonds without coupons in denominations of \$5,000 or any multiple of \$5,000. The coupon Bonds and the registered Bonds without Coupons (of the same series, interest rates and maturities) are interchangeable upon presentation for such purpose by the holder or registered owner at the office of the Paying Agent of the City in San Francisco, California, and upon payment of charges and otherwise as provided in the Resolution of the City Council authorizing their issuance.

Bonds maturing by their terms on or prior to October 1, 1987, are not subject to call or redemption prior to their fixed maturity dates. Bonds maturing by their terms on and after October 1, 1988, are subject to call and redemption, at the option of the City, as a whole, or in part in inverse numerical order from higher to lower, on October 1, 1981 (but not prior thereto), and on any interest payment date thereafter prior to their fixed maturity date or dates at the principal amount thereof and accrued interest thereon to date of redemption, together with a premium of $1/4$ of 1% of such principal amount for each whole year and for any remaining fraction of a year from the date fixed for redemption to the fixed maturity date of the bonds so called for redemption. Notice of such redemption shall be given by publication of such notice once a week for two (2) successive calendar weeks in a newspaper of general circulation or a financial journal printed and published in San Francisco, California, the first publication of which shall be at least thirty (30) days but not more than sixty (60) days prior to the date fixed for such redemption. After the date fixed for such redemption, if the City shall have duly published notice of such redemption and shall have provided funds for the payment of principal of and interest on the bonds so called for redemption, together with the premium then due thereon, interest on such bonds shall thereafter cease.

It is hereby certified, recited and declared that all acts, conditions and things required by law to exist, happen and to be performed precedent to and in the issuance of this Bond have existed, happened and been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of said City, does not exceed any limit prescribed by the Constitution or statutes of said State, and that provision has been made as required by the Constitution and statutes of said State for the collection of an annual tax sufficient to pay the principal of and interest on this Bond as the same become due. The full faith and credit of said City are hereby pledged for the punctual payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the City of Lodi has caused this Bond to be executed under its official seal, signed by its Mayor and

its Treasurer, and countersigned by its City Clerk, and has caused the interest coupons attached hereto to be signed by its Treasurer, and this Bond to be dated the first day of October, 1965.

Mayor of the City of Lodi

Treasurer of the City of Lodi

Countersigned :

City Clerk of the City of Lodi

[SEAL]

[Form of Coupon]

Coupon No. _____

_____, 19__

The CITY OF MDI on the first day of will (subject to any right of prior redemption reserved in the bond hereafter mentioned to which this coupon appertains) pay to the bearer at the San Francisco Main Office of Bank of America N.T.&S.A., in San Francisco, Cal., or, at holder's option, at the principal office of First National city Bank in New York, N. Y., or at the principal office of The First National Bank of Chicago in Chicago, Ill., the sum set forth hereon in lawful money of the United States of America, being interest then due on its 1965 Municipal Improvement Bond, series a, dated October 1, 1965.

\$ _____

NO. a _____

Treasurer of the City of Lodi

[Form of Registration Endorsement on Coupon Bonds]

This Bond may be registered as to principal in the Bond Register of Bank of America National Trust and Savings Association at its San Francisco Main Office in San Francisco, California, as Paying Agent (or by such other Paying Agent as may be legally appointed by the City in San Francisco, California), notation of such registry to be made hereon by such Paying Agent, and this Bond may thereafter be transferred on said Bond Register only upon a written assignment of the registered owner or his attorney, duly acknowledged or proved, such transfer to be endorsed hereon by the Paying Agent. The principal of this Bond, if registered, shall be payable only to the registered owner or his legal representative. Notwithstanding the registration of this Bond, the coupons shall remain payable to bearer and shall continue to be transferable by delivery.

NOTE: There must be no writing in the space below except by the San Francisco Paying Agent.

Date of Registry	Name of Registered Owner	Address of Registered Owner	Signature of Paying Agent

(b) The fully registered Series A Bonds shall be substantially in the following form, the blanks being suitably filled in:

[Form of Fully Registered Series A Bond]

UNITED STATES OF AMERICA
STATE OF CALIFORNIA
San Joaquin County

CITY OF LODI 1965 MUNICIPAL IMPROVEMENT BOND

SERIES A

No. AR _____

\$ _____

The CITY OF LODI, a municipal corporation organized and existing under the Constitution and laws of the State of California, hereby acknowledges itself indebted and for value received promises to pay to _____, or registered assigns, on the first day of October, 19____, (subject to any right of prior redemption hereinafter reserved) the principal sum of

_____ THOUSAND DOLLARS (\$—,000)

and to pay interest on such principal sum, from the interest payment date next preceding the date of registration of this Bond (unless this Bond is registered on an interest payment date, in which event it shall bear interest from the date of registration, or unless this Bond is registered prior to the first interest payment date, in which event it shall bear interest from October 1, 1965), at the rate of _____ per cent (____%) per annum, payable on October 1, 1966 and semiannually thereafter on the first day of April and the first day of October in each year, until payment of such principal sum in full. Both the principal of and interest on this Bond are payable in lawful money of the United States of America at the San Francisco Main Office of Bank of America National Trust and Savings Association in San Francisco, California.

This Bond is one of a duly authorized issue of Bonds of said City aggregating Seven Million Two Hundred Thousand Dollars (\$7,200,000) in principal amount, all of like tenor (except for such variations, if any, as may be required to designate varying series, dates, numbers, maturities, interest rates, denomination or redemption provisions) and is one of the Bonds of Series A of said authorized issue

and is issued under and pursuant to the Constitution and statutes of the State of California, and under and pursuant to the ordinances and proceedings of said City duly adopted and taken and a vote and assent of more than two-thirds of all the qualified electors of said City voting at a special election duly called and held for that purpose.

The Bonds of Series A are issuable as coupon Bonds in the denomination of \$5,000, registrable only as to principal, and as registered Bonds without coupons in the denominations of \$5,000 or any multiple of \$5,000. The coupon Bonds and the registered Bonds without coupons (of the same series, interest rates and maturities) are interchangeable upon presentation for such purpose by the holder or registered owner at the office of the Paying Agent of the City in the City and County of San Francisco, State of California, and upon payment of charges and otherwise as provided in the Resolution of the city Council authorizing their issuance.

Bonds maturing by their terms on or prior to October 1, 1987, are not subject to call or redemption prior to their fixed maturity dates. Bonds maturing by their terms on and after October 1, 1988, are subject to call and redemption, at the option of the City, as a whole, or in part in inverse numerical order from higher to lower, on October 1, 1981 (but not prior thereto), and on any Interest payment date thereafter prior to their fixed maturity date or dates at the principal amount thereof and accrued interest thereon to date of redemption, together with a premium of $1/4$ of 1% of such principal amount for each whole year and for any remaining fraction of a year from the date fixed for redemption to the fixed maturity date of the bonds so called for redemption. Notice of such redemption shall be given by publication of such notice once a week for two (2) successive calendar weeks in a newspaper of general circulation or a financial journal printed and published in San Francisco, California, the first publication of which shall be at least thirty (30) days but not more than sixty (60) days prior to the date fixed for such redemption. After the date fixed for such redemption, if the City shall have duly published notice of such redemption and shall have provided funds for the payment of principal of and interest on the bonds so called for redemption, together with the premium then due thereon, interest on such bonds shall thereafter cease.

It is hereby certified, recited and declared that all acts, conditions and things required by law to exist, happen and to be performed precedent to and in the issuance of this Bond have existed, happened and been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of said City, does not exceed any limit prescribed by the Constitution or statutes of said State, and that provision has been made as required by the Constitution and statutes of said State for the collection of an annual tax sufficient to pay the principal of and interest on this Bond as the same become due. The full faith and credit of said City are hereby pledged for the punctual payment of the principal of and interest on this Bond.

This Bond shall not be entitled to any benefit under the Resolution of the City Council authorizing its issuance, or be valid or become effective for any purpose, until the certificate of registration hereon endorsed shall have been signed by the Paying Agent under said Resolution.

IN WITNESS WHEREOF, the City of Lodi has caused this Bond to be executed under its official seal, signed by its Mayor and its Treasurer, and countersigned by its City Clerk, and has caused the interest coupons attached hereto to be signed by its Treasurer, and this Bond to be dated _____

Mayor of the City of Lodi

[SEAL]

Treasurer of the City of Lodi

Countersigned :

City Clerk of the City of Lodi

(c) The certificate of registration, coupon bond number endorsement and form of assignment endorsed upon the fully registered Series A Bonds shall be substantially in the following forms:

[Form of Certificate of Registration]

This Bond has been duly registered as of **this** _____ day of _____, 19_____, in the Registration Book of the undersigned Paying Agent.

San Francisco Main Office of
BANK OF AMERICA NATIONAL TRUST AND
SAVINGS ASSOCIATION, Paying Agent

By _____
Authorized Officer

[Form of Coupon Bond Number Endorsement]

:
: Notice: No writing below except by the Paying Agent.
:
: This Registered Bond is issued in lieu of or in :
: exchange for Coupon Bond(s) of this series, interest rate :
: and maturity, numbered :
: in the denomination of \$_____ each not contemporaneously :
: outstanding aggregating the face value hereof; 2nd Coupon :
: Bond(s) of this series and of the same interest rate and :
: maturity aggregating the face value hereof [and bearing :
: the above serial number(s) which has (have) been reserved :
: for such Coupon Bond(s)] will be issued in exchange for :
: this Registered Bond and upon surrender and cancellation :
: thereof-and upon payment of charges, all 2s provided in :
: the within-mentioned Resolution.

[Form of Assignment]

For value received _____ hereby
sell, assign and transfer unto _____
the within-mentioned Registered Bond and hereby irrevocably
constitute and appoint _____ attorney,
to transfer the same on the books of the Paying Agent with
full power of substitution in the premises.

Dated : _____

NOTE: The signature to this Assignment must correspond with
the name as written on the face of the within Regis-
tered Bond in every particular, without alteration or
enlargement or any change whatsoever.

Section 5. The Mayor and the Treasurer are hereby authorized and directed, respectively, as such officers, to execute each of the Bonds on behalf of the City, and the Clerk, or one or more of his deputies, is hereby authorized and directed to countersign each of the Bonds and to affix the official seal of the City thereto. Such seal may be printed, engraved, lithographed or otherwise placed by facsimile thereon. The Mayor and Treasurer are hereby each, respectively, authorized to cause the Bonds to be signed by printed, lithographed or engraved facsimile signature. The Treasurer is hereby authorized and directed to sign each of the interest coupons by printed, lithographed or engraved facsimile signature. Such signing, countersigning and sealing as herein provided shall be a sufficient and binding execution of the Bonds and coupons by the City, and all such signatures and countersignatures, excepting that of the Clerk or his deputies, may be printed, lithographed or engraved. In case any of such officers whose signature or countersignature appears on the Bonds or coupons shall cease to be such officer before the delivery of the Bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as though he had remained in office until the delivery of the Bonds. Bonds in fully registered form may be executed by the facsimile signatures of the Mayor and Treasurer in office as of the date of the coupon Bonds, irrespective of the date of such registered Bonds or of their registration, and by the manual signature of the City Clerk, or any Deputy City Clerk, in office on the date of registration of any fully registered Bonds.

Section 6. The City will keep at the San Francisco Main Office of the Paying Agent in the City and County of San Francisco, State of California, at all times while any of the Bonds shall be outstanding and unpaid, books for the registration and transfer of the Bonds. The owner of any coupon Bond

may present such coupon Bond at said office of the Paying Agent for registration as to principal only and the Paying Agent will, under such reasonable regulations as (with the approval of the City) it may prescribe from time to time, register, or cause to be registered, in the name of the bearer or his nominee, the ownership, as to principal only, of any coupon Bond **so** presented, such registration being noted on the Bond. After such registration and notation, no transfer of any such coupon Bond registered otherwise than as to bearer shall be valid unless evidenced by a written instrument of transfer, in form satisfactory to the Paying Agent, duly executed by the registered owner in person or by his duly authorized agent; but any such coupon Bond **so** registered may be discharged from registration, and transferability by delivery be restored, by a like transfer to bearer similarly registered and noted, and after such transfer to bearer such coupon Bond shall be a bearer Bond. Any such coupon Bond containing provisions for registration may again, from time to time, in like manner, be registered as to principal only, or be transferred to bearer. Notwithstanding such registration as to principal, the coupons appertaining to such Bonds shall remain negotiable and may be transferred by delivery.

Any fully registered Bond containing provisions for transfer may be transferred pursuant to its provisions at said office of the Paying Agent in San Francisco, California, by surrender of such Bond for cancellation, accompanied by a written instrument of Transfer in form satisfactory to the Paying Agent, duly executed by the registered owner, in person or by his duly authorized agent, and thereupon the City will issue or cause to be issued, and the Paying Agent will register and deliver at its San Francisco Main Office in the name of the transferee or transferees, a new fully registered Bond of the same series, respectively, and of like form and maturities and of like aggregate

principal amount, dated so that no gain ~~or~~ loss of interest shall result from such transfer, to the extent of the denominations authorized in respect of any such fully registered Bond by the terms of this Resolution. One such fully registered Bond may be transferred for several such fully registered Bonds of the same series and interest rates and for a like aggregate principal amount and maturities, and several such fully registered Bonds may be transferred for one or several new fully registered Bonds of the same series and interest rates and ~~for~~ a like aggregate principal amount and maturities.

The bearer of any coupon Bond which at the time is not registered as to principal or is registered to bearer, and the registered owner of any coupon Bond registered as to principal or the registered owner of any fully registered Bond may at any time, provided such Bonds shall not have been called for redemption, surrender the same for exchange at the San Francisco Main Office of the Paying Agent, with, in the case of coupon Bonds, all unmatured coupons attached, and, in the case of fully registered Bonds or coupon Bonds registered as to principal, with instruments of transfer satisfactory to the Paying Agent, and shall be entitled to receive in exchange therefor an equal aggregate principal amount of Bonds of the same series, interest rate and maturity, respectively, of any one ~~or~~ more of the forms, the issue of which has been provided ~~for~~, and the City will cause to be executed and delivered at the San Francisco Main Office of the Paying Agent the Bonds necessary to make such exchange. In every case of an exchange of coupon Bonds ~~for~~ fully registered Bonds, the surrendered coupon Bonds and coupons, if any, shall be held in safekeeping by the Paying Agent, and may be reissued by the Paying Agent upon the surrender of the fully registered Bond ~~or~~ Bonds ~~for~~ which such coupon Bonds had been exchanged, ~~or~~ in lieu of which such fully registered Bonds had been issued.

Upon the issue of any fully registered Bond of any particular series, a serial number or numbers covering coupon Bonds of the same series, interest rate and maturity, respectively, and of an equal aggregate principal amount, shall be reserved. The serial number or numbers so reserved shall be endorsed on such registered Bond.

Whenever fully registered Bonds of any series, with proper instruments of transfer, shall be surrendered to the Paying Agent for exchange for coupon Bonds, the City will cause to be executed and delivered at the San Francisco Main Office or the Paying Agent in exchange a like principal amount of coupon Bonds of the same series, interest rate and maturity, respectively, in bearer form with the same serial number or numbers so reserved upon the issue of the fully registered Bond or Bonds so surrendered, bearing coupons so that no gain or loss of interest shall result from such exchange, which may be the same coupon Bonds originally exchanged for, or reserved for, such fully registered Bonds.

The holders of Bonds, whether issued or then outstanding in coupon form or in fully registered form, shall be entitled to any exchange herein provided for, whether for coupon Bonds or fully registered Bonds, free of any costs or charges, other than any tax or governmental charge that may be imposed in connection with such exchange or the cost of reprinting of coupon Bonds if such **reprinting becomes necessary** for any **reason in order** to reissue such coupon Bonds. Except as above provided, the City will not require payment of any sum for each new Bond issued upon an exchange.

The San Francisco Paying Agent **shall** keep in its office a Registration Book which shall at all times show what Bonds are registered and the names and addresses of the registered owners, respectively.

The addresses appearing in the Registration Book shall be deemed to be ~~for~~ all purposes the addresses of the registered owners. The Paying Agent shall pay interest to the owner of any fully registered Bond by check mailed to such owner at his address appearing on the Registration Book and shall pay to the owner or his legal assignee the principal of any fully registered Bond or any coupon Bond registered ~~as~~ to principal upon presentation and surrender of such Bond. The Paying Agent will cause a duplicate copy of such registration to be forthwith delivered to the ~~Treasurer~~ of the City, and from time to time will keep the Treasurer of the City and each of the other Paying Agents of the City fully advised of all transfers of registered Bonds and of the names and addresses of the registered owners of all registered bonds.

Section 7. For the purpose of paying the principal of and interest on the Bonds, the Council shall, at the time of making the general tax levy after incurring the bonded indebtedness, and annually thereafter until the Bonds are paid or until there is a ~~sum~~ in the treasury set apart for that purpose sufficient to meet all payments of principal and interest ~~on~~ the Bonds as they become due, levy and collect a tax sufficient to pay the interest on the Bonds and such part of the principal as will ~~become~~ due before the proceeds of a tax levied at the next general tax levy will be available. Such taxes shall be levied and collected as other City taxes and shall be in addition to all other taxes and shall be ~~used~~ only for payment of the Bonds and interest thereon. Said taxes as collected shall be forthwith paid into the fund for which the ~~same~~ were levied and collected and which shall be designated "City of Lodi 1965 Municipal Improvement Bond Interest and Sinking Fund," and all sums to become due for the principal of and interest on the Bonds shall be paid from such ~~fund~~. There shall likewise be deposited in said fund any moneys received on

account of any premium paid on the Bonds and interest accrued on the Bonds from their date to the date of delivery and actual payment of the purchase price thereof. When all of the principal of and interest on all of the Bands have been paid, any balance of money then remaining in said fund shall be transferred to the general fund of the City.

Section 8. There are hereby created and established three special funds, which shall be kept by the Treasurer, into which shall be deposited the proceeds of the sale of the Bonds, as follows, to wit:

(a) "1965 Sewer System Improvements Fund," by which a record shall be kept of the disbursement of the proceeds of the sale of \$4,215,000 principal amount of the Bonds, including the proceeds of sale of \$3,255,000 principal amount of the Series A Bonds (other than premium and accrued interest received on such sale), and such proceeds shall be applied solely to the purposes and objects specified in Measure (A) (Sewer System Improvements) set forth in Section 2 of this Resolution; provided, however that when said purpose and object have been accomplished, any moneys remaining in said fund shall be transferred to said City of Lodi Municipal Improvement Bond Interest and Redemption Fund and be used for the payment of principal of and interest on the Bonds;

(b) "1965 Public Safety Building Fund," by which a record shall be kept of the disbursement of the proceeds of the sale of \$1,145,000 principal amount of the Bonds, including the proceeds of sale of \$1,145,000 principal amount of the Series A Bonds (other than premium and accrued interest received on such sale), and such proceeds shall be applied solely to the purposes and objects specified in said Measure (B) (Public Safety Building) set forth in Section 2 of this Resolution; provided, however that when said purpose and object have been accomplished, any moneys

remaining in said fund shall be transferred to said City of Lodi Municipal Improvement Bond Interest and Redemption Fund and be used for the payment of principal of and interest on the Bonds; and

(c) "1965 Storm Drainage Improvements Fund," by which a record shall be kept of the disbursement of the proceeds of the sale of \$1,840,000 principal amount of the Bonds, including the proceeds of sale at \$1,100,000 principal amount of the Series A Bonds (other than premium and accrued interest received on such sale), and such proceeds shall be applied solely to the purposes and objects specified in said Measure (C) (Storm Drainage Improvements) set forth in Section 2 of this Resolution; provided, however that when said purpose and object have been accomplished, any moneys remaining in said fund shall be transferred to said City of Lodi Municipal Improvement Bond Interest and Redemption Fund and be used for the payment of principal of and interest on the Bonds.

Section 9. The Clerk is directed to cause a sufficient number of blank Bonds and coupons of suitable quality to be lithographed, printed or engraved, and to cause the blank spaces thereof to be filled in to comply with the provisions hereof, and to procure their execution by the proper officers, and to deliver them, when so executed, to the Treasurer who shall safely keep the same until they shall be sold by the Council, whereupon he shall deliver them to the purchaser or purchasers thereof, on receipt of the purchase price. The Mayor, Treasurer and Clerk are further authorized and directed to make, execute and deliver to the purchaser of the Bonds a signature and no-litigation certificate in the form customarily required by purchasers of municipal bonds, certifying to the genuineness and due execution of the Bonds and further certifying to all facts within their knowledge relative to any litigation which may or might affect the City, said officers or the Bonds, and the Treasurer is further authorized and directed

to make, execute and deliver to the purchaser of the Bonds a receipt in the form customarily required by purchasers of municipal bonds, evidencing the payment of the purchase price of the Bonds, which receipt shall be conclusive evidence that said purchase price has been paid and has been received by the City. Any purchaser or subsequent taker or holder of the Bonds is hereby authorized to rely upon and **shall** be justified in relying upon such signature and no-litigation certificate and such receipt with respect to the Bonds executed pursuant to the authority of this resolution.

Section 10. All of the bonds shall be offered for public sale by the Council on October 6, 1965, and the Clerk is hereby authorized and directed to cause notice of the sale of the bonds to be published once in the LODI NEWS-SENTINEL, a newspaper published in the City, and such notice shall be substantially in the following **form**, to wit:

OFFICIAL NOTICE OF SALE

\$5,500,000

CITY OF LODI

CALIFORNIA

1965 MUNICIPAL IMPROVEMENT BONDS, SERIES A

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the City Council of the City of Lodi, State of California, at the Council Chambers, City Hall, Lodi, California on

WEDNESDAY, OCTOBER 6, 1965

at the hour of 8:00 P.M. (Cal. D.S.T.) for the purchase of \$5,500,000 principal amount of bonds of the City designated "City of Lodi 1965 Municipal Improvement Bonds, Series A," more particularly described below:

ISSUE: 55,500,000, Series A, being part of a total authorized issue of \$7,200,000. No additional bonds of this authorized issue will be offered for sale prior to July 1, 1966.

DATE OF BONDS: October 1, 1965.

DENOMINATION AND NUMBERS: Coupon bonds will be in the denomination of 35,000 each, numbered in consecutive numerical order from A1 to A1100.

MATURITIES: Said bonds mature serially in consecutive numerical order, from lower to higher, on October 1 in each year, as follows:

<u>Principal Amount</u>	<u>Maturity Date (October 1)</u>
\$105,000	1966
110,000	1967
115,000	1968
120,000	1969
125,000	1970
125,000	1971
130,000	1972
135,000	1973
140,000	1974
145,000	1975
150,000	1976
155,000	1977
160,000	1978
165,000	1979
175,000	1980
180,000	1981
185,000	1982
190,000	1983
200,000	1984

<u>Principal Amount</u>	<u>Maturity Date (October 1)</u>
\$205,000	1985
210,000	1986
220,000	1987
225,000	1988
235,000	1989
245,000	1990
250,000	1991
260,000	1992
270,000	1993
280,000	1994
290,000	1995

INTEREST RATE: Maximum six (6) per cent per annum, payable October 1, 1966, and semiannually thereafter on April 1 and October 1 in each year. Bidders must specify the rate or rates of interest which the bonds hereby offered for sale shall bear. Bidders will be permitted to bid different rates of interest, except: (i) the difference between the lowest and highest coupon rates named in any bid shall not exceed 1-1/2%; (ii) no bond shall bear more than one rate of interest; (iii) no interest payment shall be evidenced by more than one coupon; (iv) each bond shall bear interest from its date to its stated maturity at the interest rate specified in the bid; (v) each interest rate specified must be in a multiple of 1/20 of 1%; and (vi) no bid will be accepted which provides for the cancellation and surrender of any interest coupon or for the waiver of any interest on any of the bonds.

REDEMPTION: Bonds maturing by their terms on or prior to October 1, 1987, shall not be subject to call or redemption prior to their fixed maturity dates. Bonds maturing by their terms on and after October 1, 1988, shall be subject to call and redemption at the option of the City, as a whole, or in part in inverse numerical order from higher to lower, on October 1, 1981 (but not prior thereto), and on any interest payment date thereafter prior to their fixed maturity date or dates at the principal amount thereof and accrued interest thereon to date of redemption, together with a premium of 1/4 of 1% of such principal amount for each whole year and for any remaining fraction of a year from the date fixed for redemption to the fixed maturity date of the bonds so called for redemption.

PAYMENT: Both principal and interest are payable in lawful money of the United States of America at the office of the Paying Agent of said City in San Francisco, California, New York, New York, or Chicago, Illinois, at holder's option. The Paying Agents of the City of Lodi at the date hereof are: Bank of America National Trust and Savings Association, San Francisco, California; First National City Bank, New York, New York; and The First National Bank of Chicago, Chicago, Illinois.

REGISTRATION: The bonds will be issued in coupon form or in fully registered form at the option of the bidder and will be interchangeable free

of cost to the bondholder (except for taxes or possible reprinting costs). Coupon bonds will be registrable as to principal, but may be discharged from registration and will be exchangeable as above provided.

PURPOSE OF Said bonds are authorized by vote of two-
ISSUE: thirds of the qualified voters voting at a
special election for the purpose of authoriz-
ing bonds for sewer system improvements, a
new public safety building and storm drainage improvements.

SECURITY: The bonds are general obligations of the City
of Lodi, and the City has power and is obli-
gated to levy ad valorem taxes for the payment
of said bonds and the interest thereon upon all property with-
in the City of Lodi subject to taxation by the City (except
certain intangible personal property, which is taxable at
limited rates), without limitation of rate or amount.

TAX EXEMPT In the event that prior to the delivery of the
STATUS: bonds the income received by private holders
From bonds of the same type and character shall
be declared to be taxable under any federal
income tax laws, either by the terms of such laws or by ruling
of a federal income tax authority or official which is fol-
lowed by the Internal Revenue Service, or by decision of any
federal court, the successful bidder may, at his option,
prior to the tender of said bonds by the City, be relieved
of his obligation under the contract to purchase the bonds,
and in such case the deposit accompanying his bid will be
returned.

LEGAL OPINION: The legal opinion of Messrs. Orrick, Dahlquist,
Herrington & Sutcliffe, of San Francisco,
California, approving the validity of said
bonds, will be furnished to the successful bidder. and will
be imprinted on the reverse of the bonds, without charge to
the successful bidder.

TERMS OF SALE

Highest Bid: The Bonds of Series A will be awarded to the
highest bidder considering the interest rate
or rates specified and the premium offered,
if any. The highest bid will be determined by deducting the
amount of the premium bid (if any) from the total amount of
interest which the City would be required to pay from the
date of the bonds to their respective maturity dates at the
coupon rate or rates specified in the bid, and the award
will be made on the basis of the lowest net interest cost
to the City. The purchaser must pay accrued interest from
the date of the bonds to the date of delivery. All interest
shall be computed on a 360-day year basis. The cost of
printing the bonds will be borne by the City.

Estimate of Net Each bidder is requested, but not required,
Interest Cost: to supply an estimate of the total net in-
terest cost to the City on the basis of his
bid, which shall be considered as informa-
tive only and not binding on either the bidder or the City.

Right of Rejection: The Council reserves the right, in its discretion, to reject any and all bids and to waive any irregularity or informality in any bid.

Prompt Award: The Council will take action awarding the bonds or rejecting all bids not later than 26 hours after the expiration of the time herein prescribed for the receipt of proposals, unless such time is waived by the successful bidder. Prompt notice of award will be given to the successful bidder.

Delivery and Payment: Delivery of the Bonds of Series A will be made to the successful bidder against payment of the purchase price of the bonds at the San Francisco Main Office of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, as soon as the bonds can be prepared, which it is estimated will be within 30 days from the date of sale. Payment for the bonds must be made in funds immediately available to the City in San Francisco. The cost of providing immediately available funds, including Federal Reserve Bank funds if necessary, must be borne by the purchaser.

Right of Cancellation: The successful bidder shall have the right, at his option, to cancel the contract of purchase if the City shall fail to execute the Bonds of Series A and tender the same for delivery within sixty (60) days from the date of sale, and in such event the successful bidder shall be entitled to the return of the deposit accompanying his bid.

Form of Bid: All bids must be for not less than all of the bonds hereby offered for sale and for not less than the aggregate par value thereof and accrued interest to date of delivery. Each bid, together with bidder's check, must be enclosed in a sealed envelope addressed to the City Council of the City of Lodi, City Hall, Lodi, California, and endorsed "Proposal for City of Lodi 1965 Municipal Improvement Bonds, Series A."

Bid Check: With each bid must be submitted a certified check or cashier's check for 525,000 drawn on a bank or trust company transacting business in the State of California, payable to the order of the City to secure the City from any loss resulting from the failure of the bidder to comply with the terms of his bid. Checks of the unsuccessful bidders will be returned by the City by mail upon the award of the Bonds of Series A. No interest will be paid upon the deposit made by any successful bidder.

No Litigation: There is no litigation pending concerning the validity of the Bonds of Series A, and the City will furnish to the successful bidder a no-litigation certificate certifying to the foregoing as of and at the time of the delivery of the Bonds of Series A.

Official
Statement:

The City has prepared an Official Statement relating to the bonds, copies of which will be furnished on request to the City Clerk or to Stone & Youngberg, 1314 Russ Building, San Francisco, California, the City's financing consultant.

Dated: August 18, 1965.

BEATRICE OARIBALDI
City Clerk
of the City of Lodi, California

*Continued on
next page*

Section 11. The City Clerk is also authorized to cause the Notice of Sale to be published once in THE DAILY BOND BUYER, but no defect or error in such publication shall affect the sale of said bonds.

Section 12. This resolution shall take effect from and after its passage and approval.

PASSED AND ADOPTED this 18th day of August, 1965, by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW, WALTON
and KIRSTEN

NOES: None

ABSENT: None

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APPROVED :

Jerald Kirsten

Mayor of the City of Lodi,
California

Attest:

Beatrice Garibaldi

City Clerk

[SEAL]

CLERK'S CERTIFICATE

I, BEATRICE GARIBALDI, City Clerk of the City of Lodi, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of said City duly and regularly held at the regular meeting place thereof on the 18th day of August, 1965, of which meeting all of the members of said Council had due notice and at which a majority thereof was present; that at said meeting said resolution was introduced by Councilman Dow and read in full, and was thereupon, upon motion of Councilman Dow seconded by Councilman Walton, adopted by the following vote:

AYES : Councilmen - BROWN, CULBERTSON, DOW, WALTON
and KIRSTEN

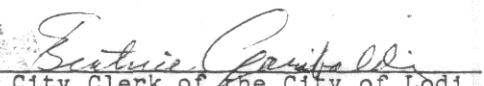
NOES: None

ABSENT: None

I further certify that I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is duly entered of record in the minute book of said Council and that said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; that said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of the City of Lodi
this 18th day of August, 1965.

[SEAL]


City Clerk of the City of Lodi,
California